S.B. Civil Writ Pet. NO.1457/96
Ratan Lal Vs. State of Raj. & Ors.

Date of order : 04.05.2006

HON'BLE MR. GOVIND MATHUR, J.

Mr.Rajesh Joshi for the petitioner.

By this petition for writ a challenge is given by the petitioner to the order dated 04.01.1996 whereby the State Govt. rejected the appeal preferred by the petitioner under the Rule 43(3) of Rajasthan Minor Minerals Concession Rules, 1986.

The facts in brief are that the mining lease was granted to the petitioner for minor minerals granite but the petitioner failed to execute the lease deed within the period prescribed, therefore, the mining lease granted was cancelled by the Director, Department of Mines and Geology.

Being aggrieved by the same, the petitioner under Rule 43 (3)of the Rules of 1986 preferred an appeal and that was rejected by the State by affirming the order passed by the Director of the Department of Mines and Geology. The lease granted to the petitioner was for the period of 10 years commencing from 07.01.1991. The period of 10 years has

already been lapsed and, therefore, by a flux of time, the writ petition has become infructuous. It is also pertinent to note here that the Government has also changed the policy with regard to grant of mining lease for minor minerals granite. In view of it also no relief as prayed by the petitioner can be granted in the instant petition for writ.

The petition for the reasons noted above is dismissed.

(GOVIND MATHUR), J.

ns.